

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA)	
)	
v.)	No. 4:17CR00293-BSM
)	
TROY R. LOADHOLT, ET AL)	

**UNITED STATES' RESPONSE TO DEFENDANT MARCUS MILLSAP'S MOTION TO
SUPPRESS EVIDENCE OBTAINED FROM POPE COUNTY SEARCH WARRANT
DATED AUGUST 22, 2016**

The United States of America, by and through Cody Hiland, United States Attorney for the Eastern District of Arkansas, Liza Brown and Stephanie Mazzanti, Assistant United States Attorneys for said district, and Marianne Shelvey and Lakeita F. Rox-Love, Trial Attorneys for the Organized Crime and Gang Section of the United States Department of Justice, for its response in to Defendant Marcus Millsap's Motion to Suppress Evidence Obtained from Pope County Search Warrant Dated August 22, 2016, states that the Court should deny the Motion as moot

Defendant Marcus Millsap moves to suppress the evidence obtained from the search of a black Verizon Samsung cell phone and a black ZTE cell phone believed to belong to Marcus Millsap based on a search warrant dated August 22, 2016. Millsap asserts that the search warrant does not demonstrate probable cause and that the good-faith exception to the exclusionary rule does not apply.

After reviewing the contents of the devices, the United States has determined that it does not intend to introduce the contents of the two cell phones in its case-in-chief at this time.¹ Although the United States disputes the arguments made in the motion, because the United States

¹ Although the United States does not anticipate a change in this position, it will promptly alert defense counsel and the Court if additional information results in a determination that information from the devices is relevant at trial.

does not intend to present evidence from the devices, there is no need for the Court to address the arguments, and the Court should deny Defendant Marcus Millsap's Motion to Suppress Evidence Obtained from Pope County Search Warrant Dated August 22, 2016, as moot.

Wherefore, the United States respectfully requests that the Court deny Defendant Marcus Millsap's Motion to Suppress Evidence Obtained from Pope County Search Warrant Dated August 22, 2016, as moot.

Respectfully submitted,

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